

## REMARKS

This Application has been carefully reviewed in light of the Final Office Action mailed October 7, 2005. At the time of the Final Office Action, Claims 1-20 were pending in this Application. Claims 1-20 were rejected. Claims 1, 8, and 15 have been amended to advance prosecution of this application. New Claims 21-25 have been added. Applicants respectfully request reconsideration and favorable action in this case.

### Summary of Telephonic Interview

Attorney for Applicants, Mr. Eric M. Grabski, conducted a telephonic interview with Examiner Gerald Gauthier on November 29, 2005. First, Applicants wish to thank Examiner Gauthier for his time and consideration during the telephone interview. Pursuant to M.P.E.P. § 713.04, Applicants submit this summary to record Applicants' understanding of the substance of the interview. If Applicants' understanding is inaccurate, notice of such is appreciated.

During the interview, the patentability of Claim 1 was discussed in light of the rejections under 35 U.S.C. § 103(a) based on *Lennig* (US 5,479,488) in view of *Gao* (US 2002/0196911 A1). Attorney for Applicants and the Examiner discussed the limitations of Claim 1 regarding determining whether a particular user utterance is generic or non-generic, and playing the particular user utterance for the operator if the user utterance is non-generic. Attorney for Applicants proposed amending these limitations to more clearly recite that the user utterance is played for the operator if the user utterance is a non-generic utterance, but not played for the operator if the user utterance is a generic utterance. Thus, Attorney for Applicants proposed amending Claim 1 to recite in part:

determining whether a particular user utterance received prior to a user utterance satisfying an error condition is a generic utterance or a non-generic utterance;

if the particular user utterance is a non-generic utterance, playing the particular user utterance for the operator; and

if the particular user utterance is a generic utterance, not playing the particular user utterance for the operator.

The Examiner agreed that this amendment is not taught by *Gao*, and that Claim 1, amended as shown above, would be allowable over the proposed *Lennig-Gao* combination.

**Rejections under 35 U.S.C. §103**

Claims 1-20 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,479,488 issued to Matthew Lennig et al. (“*Lennig*”) in view of U.S. Patent Application Publication No. 2002/0196911 by Yuqing Gao et al. (“*Gao*”).

As discussed above, the Examiner agreed during the November 29, 2005 telephone interview that the *Lennig-Gao* combination fails to teach or suggest “if the particular user utterance is a non-generic utterance, playing the particular user utterance for the operator; and if the particular user utterance is a generic utterance, not playing the particular user utterance for the operator,” as recited in amended Claim 1.

Thus, Applicants respectfully request reconsideration and allowance of amended Claim 1, together with Claims 2-7 that depend therefrom. In addition, for analogous reasons, Applicants respectfully request reconsideration and allowance of amended independent Claims 8 and 15, together with Claims 9-14 and 16-20 that depend therefrom.

**New Claims 21-25 are Allowable**

Applicants submit that new Claims 21-25 are allowable over the cited references. First, new independent Claim 21 is allowable at least because Claim 21 recites limitations similar to Claim 8, including “if the particular user utterance is a non-generic utterance, playing the particular user utterance for the operator; and if the particular user utterance is a generic utterance, not playing the particular user utterance for the operator,” which the Examiner acknowledged is not taught by the cited references, as discussed above.

Second, new Claims 22-25 are allowable at least because they depend from independent Claims 1, 8, 15, and 22, which are shown above to be allowable. In addition, new Claims 22-25 recite limitations not disclosed in the cited references.

For example, regarding Claim 22, the cited references fail to teach or suggest determining whether a particular user utterance is a generic utterance or a non-generic utterance, wherein “a generic utterance is an utterance generally having a low level of

meaning outside of the context of the prompt to which the generic utterance was made in response; and a non-generic utterance is an utterance generally having a greater level of meaning, as compared to a generic utterance, outside of the context of the prompt to which the non-generic utterance was made in response.” Claims 23-25 recite similar limitations.

For at least these reasons, Applicants request consideration and allowance of new Claims 21-25.

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12

### CONCLUSION

Applicants have now made an earnest effort to place this case in condition for allowance in light of the amendments and remarks set forth above. Applicants respectfully request reconsideration of the claims as amended.

Applicants enclose a check in the amount of \$790.00 for this Request for Continued Examination. Applicants also enclose a fee transmittal and a check in the amount of \$450.00 for new Claims 21-25. Applicants believe there are no additional fees due at this time; however, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 50-2148 of Baker Botts L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicants' attorney at 512.322.2689.

Respectfully submitted,  
BAKER BOTTS L.L.P.  
Attorney for Applicants



Eric M. Grabski  
Reg. No. 51,749

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SEND CORRESPONDENCE TO:  
BAKER BOTTS L.L.P.  
CUSTOMER ACCOUNT NO. **31625**  
512.322.2689  
512.322.8383 (fax)